

Written Opinion of the Inter-
national Searching Authority

Appended Sheet

Re Point V.

1. In the present opinion, reference is made to the following documents:

D1: DE 41 26 454 A (GRUENDL & HOFFMANN) February 11, 1993 (1993-02-11)

D2: SHIBATA M ET AL: "ON-BOARD POWER SUPPLY SYSTEM OF A MAGNETICALLY LEVITATED VEHICLE" IEEE TRANSACTIONS ON MAGNETICS, IEEE INC. NEW YORK, US, Bd. 28, Nr. 1, 1992, pp. 474-477, XP000258042 ISSN: 0018-9464

D3: AZUKIZAWA T ET AL: "A LINEAR INDUCTION MOTOR CONTROL SYSTEM FOR MAGNETICALLY LEVITATED CARRIER SYSTEM" IEEE TRANSACTIONS ON VEHICULAR TECHNOLOGY, IEEE INC. NEW YORK, US, vol. 38, no. 2, May 1 1989 (1989-05-01), pp. 102-108, XP000099587 ISSN: 0018-9545

2. Novelty - Art. 33(1) and (2) PCT

- 2.1 The present patent application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses relate to this document):

A linear motor (Abstract, „synchronous linear motor“) having at least one secondary part (Abstract, "exciter part“) supplied via an energy transmitting interface, on which consumers are

situated (Abstract, "auxiliary devices"), and having at least one primary part (Abstract, "stator section") having field-generating coils that are mounted side-by-side along a predetermined route for the propulsion of the secondary part using a propulsion field, an energy supply field of higher frequency being superposed on the propulsion field, which is inductively coupled via the energy-transmitting interface of the secondary part and supplies consumers mounted on the secondary part with energy (Abstract, "for the inductive energy transmission, a higher frequency alternating current is superposed on the alternating current that is present for generating the traveling field...").

Consequently, all the features of Claim 1 are already known from the description of D1. For that reason, the subject matter of Claim 1 is not novel within the meaning of Article 33(1) and (2) PCT.

- 2.2 The present Patent Application also does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 12 is not novel in the sense of Article 33(2) PCT.

The subject matter of Claim 12 differs from the subject matter of Claim 12 only by a different statement of purpose, which has hardly any effect on the range of protection in the case of a device claim. Furthermore,

the linear motor according to the description of D1 is also suitable for the purpose stated in Claim 12. Therefore, the statements made under 2.1 above hold true correspondingly for the subject matter of Claim 12.

Consequently, all the features of Claim 12 are already known from the description of D1. For that reason, the subject matter of Claim 12 is not novel within the meaning of Article 33(1) and (2) PCT.

2.3 Claims 2-11 contain no features that, in combination with the features of any claim to which they relate, satisfy the requirements of the PCT with regard to novelty and inventive step.

In particular, the subject matter of Claim 3 is made obvious by the descriptions of D1 and D3.

The subject matters of Claims 4, 8, 9 and 11 are already known from the description of D1.

The subject matters of Claims 2, 5 through 7 and 10 lie within the discretion of one skilled in the art.

Re Point VII.

1.1 The subject matter of Claim 2 is totally unclear, since the features "a procedure required for an application process" and "apparatus relevant to the process" are neither defined, nor are they termini technici (terms of technology). In addition, the features are formulated so

broadly that any process whatsoever falls under its formulation.

Therefore, the subject matter of Claim 2 is not defined, and consequently does not correspond to the requirements of Article 6 PCT with respect to clarity.

- 1.2 As described below, some of the features in device Claim 2 and 8 through 11 refer to a method for using the device, and not to the definition of the device in the light of its technical features. Therefore, the intended restrictions cannot be clearly inferred from the claim, in contradiction to the requirements of Article 6 PCT.

To the extent that Claim 2 is understandable (see above, under 1.1) its subject matter relates to a majority of method steps ("application process", "is executed").

The subject matters of Claims 8 through 11 all relate to the generation of the energy supply field or making available energy, and thus they are method steps.